

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

<b>IN RE:</b>	)	
	)	
<b>COX ENTERPRISES, INC.,</b>	)	<b>12-ML-02048-C</b>
<b>SET-TOP CABLE TELEVISION</b>	)	
<b>BOX ANTITRUST LITIGATION</b>	)	
<hr/>		
<b>This document relates to:</b>	)	
	)	
<b>Richard Healy,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>Cox Communications, Inc.,</b>	)	
	)	
<b>Defendant.</b>	)	
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**PLAINTIFF'S REQUEST FOR AN EMERGENCY STATUS CONFERENCE**

Plaintiff respectfully requests an emergency status conference to ensure that delays in the class notice program do not delay the trial in this case, which is scheduled to begin on September 9, 2014.

On May 20, 2014, this court approved a plan of class notice that included bill inserts for Defendant Cox's current customers, and notice by email or first-class mail for Cox's former customers. (Doc. 147 (motion for approval of class notice); Doc. 162 (order approving class notice).) The production of email addresses and mailing addresses has been a topic of discussion between Plaintiff and Cox since March. Although the parties are prepared to issue bill inserts to Cox's current customers in a timely manner, Cox has

not yet produced email addresses and mailing addresses for former customers. Unless Cox produces this information soon, Plaintiff cannot notify Cox's former customers of the suit in time to allow a sufficient period to opt out before trial.

Plaintiff requests an emergency status conference to discuss two possible solutions to this problem. One solution would be an order requiring Cox to produce class member contact information to Plaintiff in time to issue notice without delaying the trial. The other would be to determine that notice to Cox's former customers by email or first-class mail is not practicable under the circumstances, and thus that publication notice will suffice for Cox's former customers. Plaintiff suggests that the status conference be held by telephone so that it can be scheduled as soon as possible.

Plaintiff's counsel certify that conferences with Cox's counsel have been undertaken prior to filing of this request.

DATED: June 23, 2014

Respectfully submitted,

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**CERTIFICATE OF SERVICE**

I hereby certify that on June 23, 2014, I electronically transmitted the attached document to the Court Clerk using the ECF System for filing. Based on the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to all ECF registrants.

/s/ Michael J. Blaschke